

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA  
ERIE DIVISION**

**UNITED STATES OF AMERICA, *ex rel.*  
DILBAGH SINGH, M.D., PAUL KIRSCH, M.D.,  
V. RAO NADELLA, M.D., and  
MARTIN JACOBS, M.D.,**

**Plaintiffs,**

**CIVIL ACTION NO. 04-186E**

**v.**

**BRADFORD REGIONAL MEDICAL CENTER,  
V & S MEDICAL ASSOCIATES, LLC,  
PETER VACCARO, M.D.,  
KAMRAN SALEH, M.D.,  
and DOES I through XX,**

**Judge Cohill**

**Defendants.**

**PLAINTIFFS' MOTION FOR  
COURT ORDER TO OBTAIN HHS RECORDS**

As set forth in the accompanying brief, Relators have served a subpoena upon Highmark, Inc., the Medicare intermediary, seeking information identifying claims submitted by Defendant Bradford Regional Medical Center (“BRMC”) based upon referrals from Drs. Peter Vaccaro and Kamran Saleh. Highmark has indicated that it is willing to produce the requested information. However, Highmark contends that the Privacy Act, 5 U.S.C. § 552a, requires an order from the Court before it is able to provide

the information. Highmark has provided Relators with language for a proposed order, which Relators have submitted herewith.<sup>1</sup>

Accordingly, for the reasons set forth in the accompanying brief, Relators respectfully request that the Court enter the attached order, which will allow Highmark to produce the information sought in the subpoena.

This 31<sup>st</sup> day of August, 2007.

Respectfully Submitted,

/S/ Andrew M. Stone  
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<sup>1</sup> Relators have asked Defendants to consent to the entry of an order. Defendants responded that they are not willing to consent, although they do not believe that they will object to such an order.

Certificate of Service

I hereby certify that on August 31<sup>st</sup> 2007, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will automatically send email notification of such filing to the following attorneys of record:

Daniel M. Mulholland, III  
Carl J. Rychcik  
Paul E. Skirtich

This 31st day of August, 2007.

/S/ Andrew M. Stone  
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